

#5
BA 4/4/03

P10/SB/21 (08-00)

Approved for use through 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

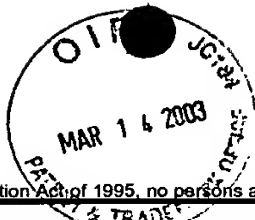
TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	09/683,842	
	Filing Date	02/21/2002	
	First Named Inventor	Tzu-Li Tsai	
	Group Art Unit	2615	
	Examiner Name		
Total Number of Pages in This Submission	28	Attorney Docket Number	ACIP0008USA

ENCLOSURES (check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment / Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input checked="" type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers (for an Application) <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Other Enclosure(s) (please identify below):
RECEIVED MAR 19 2003 GROUP 3600		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	WINSTON HSU
Signature	<i>Winston Hsu</i>
Date	3/6/2003

CERTIFICATE OF MAILING			
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, Washington, DC 20231 on this date: 			
Typed or printed name			
Signature		Date	

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.



PTO/SB/17*(01-03)
Approved for use through 04/30/2003. OMB 0651-0032
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

FEE TRANSMITTAL for FY 2003

Effective 01/01/2003. Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$) 0.00

Complete if Known

Application Number 09/683,842
Filing Date 02/21/2002
First Named Inventor Tzu-Li Tsai
Examiner Name
Art Unit 2615
Attorney Docket No. ACIP0008USA

RECEIVED
MAR 19 2003
GROUP 3600

METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None

☒ Deposit Account:

Deposit
Account
Number
Deposit
Account
Name

50-0801

North America International Patent Office

The Commissioner is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☐ Credit any overpayments

☒ Charge any additional fee(s) during the pendency of this application

☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

FEE CALCULATION

1. BASIC FILING FEE

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1001	750	2001	375	Utility filing fee	
1002	330	2002	165	Design filing fee	
1003	520	2003	260	Plant filing fee	
1004	750	2004	375	Reissue filing fee	
1005	160	2005	80	Provisional filing fee	
SUBTOTAL (1)					(\$) 0.00

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

		Extra Claims		Fee from below		Fee Paid
Total Claims		-20** =		X		
Independent Claims		-3** =		X		
Multiple Dependent						

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1202	18	2202	9	Claims in excess of 20	
1201	84	2201	42	Independent claims in excess of 3	
1203	280	2203	140	Multiple dependent claim, if not paid	
1204	84	2204	42	** Reissue independent claims over original patent	
1205	18	2205	9	** Reissue claims in excess of 20 and over original patent	
SUBTOTAL (2)					(\$) 0.00

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1051	130	2051	65	Surcharge - late filing fee or oath	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	
1053	130	1053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for <i>ex parte</i> reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	110	2251	55	Extension for reply within first month	
1252	410	2252	205	Extension for reply within second month	
1253	930	2253	465	Extension for reply within third month	
1254	1,450	2254	725	Extension for reply within fourth month	
1255	1,970	2255	985	Extension for reply within fifth month	
1401	320	2401	160	Notice of Appeal	
1402	320	2402	160	Filing a brief in support of an appeal	
1403	280	2403	140	Request for oral hearing	
1451	1,510	1451	1,510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive - unavoidable	
1453	1,300	2453	650	Petition to revive - unintentional	
1501	1,300	2501	650	Utility issue fee (or reissue)	
1502	470	2502	235	Design issue fee	
1503	630	2503	315	Plant issue fee	
1460	130	1460	130	Petitions to the Commissioner	
1807	50	1807	50	Processing fee under 37 CFR 1.17(q)	
1806	180	1806	180	Submission of Information Disclosure Stmt	
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	750	2809	375	Filing a submission after final rejection (37 CFR 1.129(a))	
1810	750	2810	375	For each additional invention to be examined (37 CFR 1.129(b))	
1801	750	2801	375	Request for Continued Examination (RCE)	
1802	900	1802	900	Request for expedited examination of a design application	

Other fee (specify) _____

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$) 0.00

SUBMITTED BY

Name (Print/Type) Winston Hsu Registration No. 41,526 Telephone 886289237350
(Attorney/Agent)
Signature *Winston Hsu* Date 2/6/2003

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Washington, DC 20231.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.

PTO/SB/08A (10-01)

Approved for use through 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449A/PTO				Complete if Known	
INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(use as many sheets as necessary)</i>				Application Number	09/683,842
				Filing Date	02/21/2002
				First Named Inventor	Tzu-Ki Tsai
				Art Unit	2615
				Examiner Name	
Sheet	1	of	1	Attorney Docket Number	ACI P0008 USA

[illegible][illegible]

Examiner Signature		Date Considered	
-----------------------	--	--------------------	--

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

1 Applicant's unique citation designation number (optional). 2 See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. 3 Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). 4 For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. 5 Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. 6 Applicant is to place a check mark here if English language Translation is attached.

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. **DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.**



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

RECEIVED

MAR 19 2003

GROUP 3600

Applicant: Tzu-Li Tsai,
Yen-Ching Chen,
Szu-Hsiung Ko,

Filing Date: 02/21/2002

Art Unit: 2615

Serial No.: 09/683,842

Docket No.: ACI008USA

10 Title: Updating System For Digital Players And Method of Using The Same

To: The Commissioner of Patents and Trademarks
Washington, D.C. 20231

15 Subject: Information disclosure statement Under
37C.F.R. §1.56

Dear Sir:

20 This is an Information Disclosure Statement in
accordance with the duty to disclose information
material to patentability under 37 C.F.R. §1.56.
Applicants wish to make of record the document listed
on the accompanying form PTO/SB/08A. It is respectfully
25 requested that the Examiner initial the cited reference
on the form and that it be made of record in the
application and that a copy of the initialed form be
sent to Applicants with the next communication from
the Examiner.

30

Since the IDS is filed before the mailing date of
a first Office action on the merits, a petition to request
consideration of the information disclosure statement
is hereby requested according to 37C.F.R. §1.97(b). The
35 prior art patent contained in the information

disclosure statement was cited in communications from the Taiwan Intellectual Property Office on Nov. 28, 2002 for a counterpart foreign application. Since this IDS is being submitted within three months of the date
5 in which this prior art patent was first cited, the applicant sincerely hopes that the examiner can consider the item contained in the information disclosure statement.

10 According to the requirement set forth in 37 C.F.R. §1.98 and M.P.E.P. 609 (August 2001), the applicant is submitting a copy of the cited reference (Taiwan Patent No. 412725, "OPTICAL DISK DRIVE") and a concise explanation of the relevance in this
15 application hereinafter.

Fig.1 of Taiwan Patent No. 412725 appear to be the most relevant drawings, and show a block diagram of an optical disc drive. The purpose of the prior art
20 is used to solve the problem of power failure during an updating process of an optical disc drive. In the prior art reference, the optical disc drive comprises a system controller 1, which is electrically connected to a personal computer through the interface 28, and
25 a flash memory 22 recorded with programs for controlling the operation of the system controller 1.

The flash memory 22 is divided to two parts, which are a protected area and an unprotected area. The
30 protected area is read only and recorded with programs that can provide a basic updating function, and the unprotected area stores programs which can be updated.

Therefore, if any error happens due to some unexpected situation, such as power failure, during the updating process, the optical disc drive can resume the updating process according to the programs recorded in the protected area and work successfully thereby. It is
5 noted that the prior art invention can only performs the updating process under a control of the personal computer which is connected to interface 28.

10 Claim 1 of the present application is repeated below for reference:

"1. An updating system for a digital player comprising:
a primary module comprising a first memory module
15 for storing software; and
a secondary module comprising a second memory module and said primary module;
wherein an updating instruction is sent from said primary module to said secondary module to activate
20 a predetermined program for updating said second memory module by means of said software stored in said first memory module."

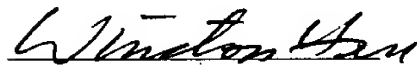
Claim 1 of the present application shows that the
25 primary module in the present invention can work independent of other devices, such as a personal computer, though it can also be assisted with other devices. Therefore, the structure of the digital player and the method of the updating method thereof in the
30 present application are apparently different from the optical disc drive and the updating method thereof revealed in the cited prior art.

It is therefore believed that claim 1 of the present application is substantially different from the prior art patent TP No. 412725. The independent claims 10,
5 19, and 27 also show the differences/nonobviousness clearly in the same manner. Since all other claims are dependent on claims 1, 10, 19 and 27, they are believed to be substantially different from the prior art patent TP No. 412725 as well.

10

Sincerely yours,

15



Date: 3/6/2003

Winston Hsu, Patent Agent No. 41,526

P.O. BOX 516

Merrifield, VA 22116

20

U.S.A.

e-mail:winstonhsu@naipo.com.tw